

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

Lizzie Harris,

Bankruptcy Case No.: 04-83113

Social Security No. xxx-xx-9576

Mailing Address: 150 Payton Place Rd.,
Lumber Bridge, NC 28357-

Debtor.

MOTION TO REOPEN CASE

NOW COMES the Debtor above-named, and shows unto the Court as follows:

1. That this matter is a core proceeding pursuant to 28 U.S.C. § 157, and that the Court has jurisdiction pursuant to 28 U.S.C. §§ 151, 157 and 1334.
2. That the Debtor files this motion pursuant to 11 U.S.C. Section 350(b) to reopen this case.
3. The Debtor filed this bankruptcy case on October 14, 2004 seeking protection under Chapter 13 of Title 11 of the United States Code.
4. The § 341 Meeting of Creditors was held on January 28, 2005.
5. The Chapter 13 plan was subsequently confirmed by order of this Court on January 31, 2005.
6. The Debtor paid her on-going mortgage payments through the Chapter 13 plan and the Chapter 13 Trustee's records reflect that all payments have been made.
7. That the Debtor received a discharge pursuant to 11 U.S.C. § 1328 on July 14, 2010.
8. That the Debtor were and still are indebted to Litton Loan Servicing for a mortgage note, but that Litton Loan Servicing has asserted that, despite the payments made during the course of her Chapter 13 plan, the Debtor is delinquent in her mortgage and/or owe additional fees, costs and/or expenses, that were neither authorized or timely disclosed, during said Chapter 13 plan.
9. The reopening of this case is necessary to afford the Debtor the opportunity to file an Adversary Proceeding seeking to have her mortgage loan with Litton Loan Servicing declared to be current as of the date of their discharge and for damages.

WHEREFORE, the Debtor moves the Court to reopen this case, and for such other and further relief as the court may seem just and proper.

Dated: June 17, 2011

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s Edward C. Boltz

Edward C. Boltz

Attorney for the Debtor

North Carolina State Bar No.: 23003

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CERTIFICATE OF SERVICE

I, Renee Nolte, certify, under penalty of perjury, that I am, and at all times during this service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made, and that service of the **Motion to Re-open**, was made pursuant to Bankruptcy Rule 7004(b) on August 23, 2005, **electronically** or by **regular, first class United States mail**, postage fully pre-paid, addressed to:

Richard M. Hutson, II
Chapter 13 Trustee
Post Office Box 3613
Durham, N C 27702

Litton Loan Servicing
Attn: Managing Agent
4828 Loop Central Drive
Houston, TX 77081

Michael D. West
Bankruptcy Administrator
Post Office Box 1828
Greensboro, NC 27402

Matthew T. McKee
Attorney
2550 W. Tyvola Road
Suite 520
Charlotte, NC 28217

Lizzie Harris
150 Payton Place Rd.,
Lumber Bridge, NC 28357-

/s Renee Nolte
Renee Nolte